

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE OF NEVADADate of filing in State Engineer's Office DEC 09 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed DEC 09 2004

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The applicant **Frank J. Finelli and Verne Finelli, Trustees of the Frank J. Finelli and Verne Finelli Trust UDT Dated 1-13-1983** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **underground source, Pahrump Basin No. 162**
2. The amount of water applied for is **2.02 afa .004 cfs** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **commercial use**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks") **zoned commercial see item #12**
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the SW¼ of the NW¼ of Section 5, Township 20 South, Range 53 East, M.D.M., Nye County, Nevada from which the NW corner of said Section 5 bears N 10° 15' 22" W a distance of 1968.59 feet.**
6. Place of Use **Consisting of 2.33 acres within the SW¼ of the NW¼ of Section 5, Township 20 South, Range 53 East, M.D.M., Nye County, Nevada being APN #35-073-16 also known as Lot-8 in Block-1 of the Pechstein Ranch Unit No. 1, document no. 56410 recorded June 6, 1966 in the office of the County Recorder, Nye County, Nevada**
7. Use will begin about **Jan. 1<sup>st</sup>** and end about **Dec. 31<sup>st</sup>** of each year.
8. Description of proposed works **Proposed 8" well casing, submersible pump, pressure tank, totalizing meter and distribution system**
9. Estimated cost of works **\$25,000**
10. Estimated time required to construct works **2-years**
11. Estimated time required to complete the application of water to beneficial use **5-years**
12. Remarks: **The water system will be used for a small commercial business complex consisting of 1-6000 s.f. retail business w/6 units, 1-2000 s.f. retail business w/2-units, landscaping and a 10,000 gallon storage tank for fire protection. See attached fixture count for the above referred to project.**

Ronnie M. Phillips, Agent  
By s/ Ronnie M. Phillips  
1240 E. State Street, Suite #101  
Pahrump, Nevada 89048

Compared aem/ sam <sup>lt/</sup> gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Permit 71984 is granted to provide water service to one lot described as Nye County Assessor's Parcel Number (APN) 35-073-16.

Upon cessation of pumping for commercial purposes at this place of use, water under this permit shall return to the source and no application to change or relinquishment will be allowed.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.004 cubic feet per second, and not to exceed 2.02 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 20, 2007

Proof of completion of work shall be filed on or before:

August 20, 2007

Water must be placed to beneficial use on or before:

July 20, 2010

Proof of the application of water to beneficial use shall be filed on or before:

August 20, 2010

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 20th day of July A.D. 2005

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

